

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHELSEY TAYLOR,

Plaintiff,

v.

Case No. 14-10908

SABA JAFFERY, et al.,

Defendant.

ORDER OF DISMISSAL WITHOUT PREJUDICE

On March 28, 2014, the court issued a second order to show cause directing Plaintiff to correct fatal jurisdictional deficiencies in her complaint. The court identified several flaws in Plaintiff's proposed amendment: she alleged the residency of individual defendants, but the statute requires her to allege an individual's state of *citizenship*; she alleged that the corporate defendants are Ohio and Texas corporations, but did not provide any allegations regarding their state of incorporation and principal place of business. See 28 U.S.C. § 1332(a)(1), (c)(1). Regrettably, Plaintiff did not heed the court's very specific warnings, and filed an amended complaint that did not address or correct the identified jurisdictional deficiencies.

A failure to

properly allege federal jurisdiction is fatal to a complaint. *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994); *Farmer v. Fisher*, 386 F. App'x 554, 556–57 (6th Cir. 2010) (*per curiam*). "Without jurisdiction the court cannot proceed at all in any cause. Jurisdiction is power to declare the law, and when it ceases to exist, the only

function remaining to the court is that of announcing the fact and dismissing the cause.”

Ex parte McCardle, 74 U.S. 506, 514 (1868). Accordingly,

IT IS ORDERED that Plaintiff's amended complaint [Dkt. # 6] is DISMISSED
WITHOUT PREJUDICE.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 31, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 31, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522